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Amendment dated June 3rd, 2005
Reply to Office action of January 4, 2005

REMARKS/ARGUMENTS

In the January 4, 2005 Office Action, the Examiner rejected Claims 1 and 20 under 35

USC § 102(e) as being anticipated by Papierniak (U.S. Patent No. 6,151,584, "Papierniak"). The

Examiner rejected Claims 4, 12, and 14 under 35 USC § 102(b) as being anticipated by Basch et

al. (U.S. Patent No. 6,119,103, "Basch"). Additionally, the Examiner rejected Claim 7 under 35

USC § 103(a) as being unpatentable over Basch (U.S. Patent No. 6,119,103) in view of Joshi et

al. (U.S. Patent No. 6,532,427). The Examiner rejected Claims 5-6 under 35 USC § 103(a) as

being unpatentable over Basch (U.S. Patent No. 6,119,103) in view of Sameshima (U.S. Patent

No. 6,038,564). Furthermore, the Examiner rejected Claim 8 under 35 U.S.C. § 103(a) as being

unpatentable over Basch (U.S. Patent No. 6,119,103) in view of Poole et al. (U.S. Patent No.

5,455,948). Finally the Examiner rejected Claims 9-11 under 35 U.S.C. § 103(a) as being unpat-

entable over Basch (U.S. Patent No. 6,119,103) in view of Pape et al. (U.S. Patent No.

6,664,897). Applicants have amended Claims 1, 4-5, and 20 to further clarify the invention.

Claims 1, 4-12, 14, and 20 are now pending of which Claims 1, 4, and 20 are independent

claims. Applicants respectfully request reconsideration of the patentability of the claims of the

present application in view of the amendments and the following remarks.

In the December 16, 2004, reply to the November 18, 2004 election/restriction require-

ment, Applicant elected to prosecute Claims 1, 4-12, 14, and 20, with traverse. Applicant notes

that the January 4, 2005 office action states that "Election was made without traverse . . ." (page

2, line 4). Applicant respectfully submits that the quoted portion of the January 4, 2005 office

action contains a typographical error. Thus, Applicant requests that the Examiner confirm that

the election in the December 16, 2004 reply was made with traverse.

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Amendment to the Specification

Paragraph [0058] has been amended by changing "8G" to "8H." This amendment has

not been made to avoid prior art, but to correct a typographical error.

Amendment to the Claims

Claim 1:

The Examiner rejected Claim 1 stating:

"As per claims 1, Papierniak discloses a method for collecting and storing operational
data comprising: receiving information from a plurality of sources collecting the user's
information (col. 5, line 20), analyzing the information (col. 5, line 21), performing trend
analysis (col. 13, lines 24-29)." (Office Action, Page 2, lines 20-21 through Page 3, lines
1-3).

2.   Papierniak fails to disclose the elements of amended Claim 1. In particular,

Papierniak fails to disclose, "a method for collecting data from plural data sources, com-

prising: receiving data from the plural data sources in accordance with a collection sched-

ule; wherein plural data collectors collect data from a finance data source, manufacturing

data source, inventory data source and/or legacy system data source; wherein the finance

data source provides financial indicators for making financial decisions, manufacturing

data source provides manufacturing data points for manufacturing related information, in-

ventory data source provides inventory status and legacy data source provides data in a

proprietary format; and the collection schedule is set up by a collection scheduler; parsing

the data collected from the plural data sources, wherein a parsing module parses the col-

lected data; evaluating threshold conditions based on data collection; evaluating alert con-

ditions at time of data collection, wherein alert and threshold conditions are set up to

evaluate pre-defined conditions of incoming data or data that is displayed to a user; and

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generating a message if a threshold is violated using information stored in a schema."

(Amended Claim 1).

The added subject matter in amended Claim 1 is not new matter. The added subject matter is supported in the original specification in paragraphs [0111] (for plural data sources), [0128] and [0129] (for collection scheduler) and [0220] (for evaluating threshold conditions based on data collection; evaluating alert conditions at time of data collection, wherein alert and threshold conditions are set up to evaluate pre-defined conditions of incoming data or data that is displayed to a user; and generating a message if a threshold is violated using information stored in a schema).

Papierniak discloses a method of collecting subscriber specified information [that] supports retrieval of information to analyze Internet and/or electronic commerce data over or from the World Wide Web for service providers using a computer. (Papierniak, Abstract). Papierniak intends to solve the problem associated with conventional search engines that provide irrelevant information. (Papierniak, Col 2, lines 25-35). This is different from the method described in amended Claim 1.

Applicants respectfully submit that amended Claim 1 is patentably distinguished over Papierniak for at least the foregoing reasons. Therefore, Applicants respectfully request allowance of amended Claim 1.

Claim 4:

The Examiner rejected Claim 4 stating:

"As per Claims 4, 12, and 14 Basch et al disclose a method for receiving transaction data comprising: plural data collectors that collect data from plural data sources (col. 14, lines 25-31), and reporting module, wherein the reporting module provides various reports based on the data collected from the plurality data collectors (col. 13, lines 50-58)." (Office Action, Page 3, lines 9-13).

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Basch et al ("Basch") fails to disclose the elements of amended Claim 4. In particular, Basch fails to disclose, "plural data collectors that collect data based on a data collection schedule from plural data sources; wherein plural data collectors collect data from a finance data source, manufacturing data source, inventory data source and/or legacy system data source; wherein the finance data source provides financial indicators for making financial decisions, manufacturing data source provides manufacturing data points for manufacturing related information, inventory data source provides inventory status and legacy data source provides data in a proprietary format; a scheduling module that schedules data collection and data alerts; and a reporting module, coupled to the scheduling module, wherein the reporting module provides various reports based on the data collected from the plural data collectors.

The added subject matter is not new matter. The added subject matter is supported in the original specification at paragraph [0019] ("Reporting module 206 is coupled to scheduling module ("report scheduler") 213 that schedules data collection, date alerts, whether print or electronic, according to one aspect of the present invention.").

Basch discloses an "account /account holder data collection/archiving module 202, representing the logical module that handles receipt, validation, and standardization of AAC-level data, e.g., account and account holder data". (Basch, Col 10, lines 20-25). This is different from the plural data collectors, scheduling module and reporting module disclosed in Claim 4.

Applicants respectfully submit that amended Claim 4 is patentably distinguished over Basch for at least the foregoing reasons. Therefore, Applicants respectfully request allowance of amended Claim 4.

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<u>Claims 5-6</u>:

The Examiner rejected Claims 5-6 under 35 USC § 103(a) as being unpatentable over

Basch (U.S. Patent No. 6,119,103) in view of Sameshima (U.S. Patent No. 6,038,564), stating:

> "As per claim 5-6, Basch discloses all of the limitations in claim 4 above, but fails to dis-
> close triggering module that activates an event based on the collected data. Sameshima
> in the same field of endeavor discloses the concept of activating an event based on col-
> lected data (col. 2, lines 4-7 and col. 5, lines 16-51). It would have been obvious to a per-
> son of ordinary skill in the art to modify the disclosures of Basch to incorporate the acti-
> vation of an event as taught by Sameshima in order to supply the data to an application
> program." (Office Action, Page 4, lines 10-15).

Applicants respectfully traverse the rejection of Claims 5-6. Particularly, the cited por-

tion of Sameshima does not disclose anything that "activates an event based on collected data"

(Amended Claim 4, line 2). Sameshima also does not disclose the subject matter of Claim 6

("wherein the triggering module sends an electronic mail based on the collected data").

Claim 5 has been amended to insert "a" before "triggering module." The added subject

matter is not new matter.

Applicants respectfully submit that amended Claim 5 and previously presented Claim 6 is

patentably distinguished over Basch and Sameshima for at least the foregoing reasons. Addi-

tionally, amended Claim 5 is dependent upon Claim 4 and is thus patentably distinguished over

Basch and Sameshima for at least the same reasons provided above with respect to Claim 4.

Likewise, Claim 6, being dependent upon amended Claim 5, is also patentably distin-

guished over Basch and Sameshima for at least the same reasons provided above with respect to

Claims 4 and 5. Therefore, Applicants respectfully request allowance of amended Claim 5 and

previously presented Claim 6.

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Claim 7:

The Examiner rejected Claim 7 under 35 USC § 103(a) as being unpatentable over Basch

(U.S. Patent No. 6,119,103) in view of Joshi et al. (U.S. Patent No. 6,532,427, "Joshi").

Claim 7 depends from Claim 4 and is thus patentably distinguished over Basch and Joshi

for at least the same reasons provided above with respect to Claim 4. Therefore, Applicants re-

spectfully request allowance of Claim 7.

Claim 8:

The Examiner rejected Claim 8 under 35 U.S.C. § 103(a) as being unpatentable over

Basch (U.S. Patent No. 6,119,103) in view of Poole et al. (U.S. Patent No. 5,455,948, "Poole").

Claim 8 depends from Claim 4 and is thus patentably distinguished over Basch and Poole

for at least the same reasons provided above with respect to Claim 4. Therefore, Applicants re-

spectfully request allowance of Claim 8.

Claims 9-11:

The Examiner rejected Claims 9-11 under 35 U.S.C. § 103(a) as being unpatentable over

Basch (U.S. Patent No. 6,119,103) in view of Pape et al. (U.S. Patent No. 6,664,897, "Pape").

Claims 9-11 depend from Claim 4 and are thus patentably distinguished over Basch and

Pape for at least the same reasons provided above with respect to Claim 4. Therefore, Applicants

respectfully request allowance of Claims 9-11.

Claims 12 and 14:

The Examiner rejected Claim 4 stating:

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"As per Claims 4, 12, and 14 Basch et al disclose a method for receiving transaction data comprising: plural data collectors that collect data from plural data sources (col. 14, lines 25-31), and reporting module, wherein the reporting module provides various reports based on the data collected from the plurality data collectors (col. 13, lines 50-58)." (Office Action, Page 3, lines 9-13).

Applicants respectfully traverse the rejection of Claims 12 and 14. The Examiner did not explicitly discuss which portions of Basch disclose the subject matter of Claims 12 and 14. However, Applicants note that Basch does not disclose the subject matter of Claims 12 and 14. Particularly, Basch does not disclose a system "wherein the data collectors include an interactive data collector." (Claim 12) nor does Basch disclose a system "further comprising: a database that provides data collection schedules to the collection scheduler." (Claim 14).

As explained above, Applicants submit that amended Claim 4 is patentable over the prior art. Claims 12 and 14 are dependent upon amended Claim 4. Thus, Claims 12 and 14 are patentably distinguished over Basch for at least the same reasons provided above with respect to Claim 4. Therefore, Applicants respectfully request allowance of Claims 12 and 14.

Claim 20:

The Examiner rejected Claim 20 stating:

"Claim 20 is a computer-executable process in a computer readable memory for performing the steps of method claim1; and therefore is rejected under the same analysis of claim 1." (Office Action, Page 3, lines 4-6).

Claim 20 has been amended in a manner corresponding to the amendments discussed above for Claim 1. For at least the same reasons provided above regarding Claim 1, Applicants respectfully, submit that amended Claim 20 is patentably distinguished over Papierniak. Therefore, Applicants respectfully request allowance of amended Claim 20.

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CONCLUSION

For the foregoing reasons, Applicants believe Claims 1, 4-12, 14, and 20 are allowable,

and a notice of allowance is respectfully requested.

If the Examiner has any questions regarding the application, the Examiner is invited to

call the undersigned Attorney at (949)-955-1920.

Dated: _06/03/05_
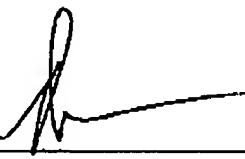
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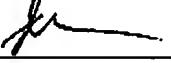
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June _03_, 2005
Date of Signature

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